

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana Second Judicial District Court, County of Silver Bow

STATE OF MONTANA,)	
)	
Plaintiff,)	
)	CAUSE NO. DC-18-128
)	
)	DECISION
ERIK ROBERT HUNT,)	
)	
Defendant.)	

December 22, 2018, the District Court sentenced the Defendant to the Montana State Prison, for a term of ten (10) years, for the offense of Burglary, a Felony, in violation of §45-6-204, MCA. The Court dismissed Count II with prejudice. The Court ordered the Defendant to pay restitution in the amount of \$1,000 to the victim, Joshua Davidson. The Court further ordered that the Defendant receive credit for 218 days of time served.

On May 2, 2019, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant appeared by video conferencing from the Crossroads Correctional Center and was represented by Brent Getty of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.

Done in open Court this 2nd day of May, 2019.

DATED this 30th day of May, 2019.

SENTENCE REVIEW DIVISION

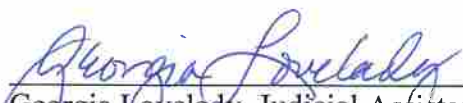

Hon. Brenda Gilbert, Chairperson


Hon. Dan Wilson, Member


Hon. Luke Berger, Member

Copies mailed this 4th day
of June, 2019, to:

Clerk of District Court (Original)
Erik Robert Hunt #2115159, Defendant (2)
Hon. Brad Newman
Brent Getty, Defense Counsel
Ann Shea, Esq.
Board of Pardons and Parole
MSP - Records Dept.


Georgia Lovelady, Judicial Assistant
Sentence Review Division